IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4177 OF 2006

Shri E.A. Issac ..Petitioner

Vs.

Mrs. Bindhu Issac ..Respondent

Mr. R.R. Salvi for petitioner.

CORAM: B.H. MARLAPALLE, J.

Date : July 03, 2006.

P.C.:

1. Heard Mr. Salvi the learned counsel for the petitioner-husband. By the impugned order dated 27/4/2006 the learned Joint District Judge at Thane has directed that the custody of the two children shall be with the respondent-wife (mother) and the present petitioner will have their custody for 75% of the Diwali and Christmas vacation ensuing.

2. From the reasoning in the impugned order it is clear that the learned Judge had talked to the children and noted that the children are matured and understanding for their young age and they were able to decide their choice. The children disclosed that

both the parents were kind and loving and so also the grand-parents from both the sides. The learned Judge also noticed that the children have developed ability to think independently and they expressed their desire to stay with their mother and visit the father frequently. It was under these circumstances, the learned Joint District Judge, Thane by the impugned order granted the custody of the children to the mother. There is no reason to interfere with the said order which has taken care of the children's interest and their desire.

3. Hence the petition is rejected summarily.

(B.H. Marlapalle,J.)